

ORIGINAL

BEFORE THE

Illinois Commerce Commission

DOCKET NO. 00-0007

IN THE MATTER OF:

ILLINOIS COMMERCE COMMISSION
On Its Own Motion

CHIEF CLERK'S OFFICE

FEB 29 12 42 PM '00

ILLINOIS
COMMERCE COMMISSION

PLACE: Springfield, Illinois

DATE: February 18, 2000

PAGES: 18 - 27

SULLIVAN REPORTING COMPANY

OFFICIAL REPORTERS

TWO NORTH LA SALLE STREET

SUITE 1780

CHICAGO, ILLINOIS 60602

312.782.4706

SPRINGFIELD, ILLINOIS

217-528-6964

BEFORE THE
ILLINOIS COMMERCE COMMISSION

ILLINOIS COMMERCE COMMISSION) DOCKET NO.
On Its Own Motion) 00-0007
Requirements governing the form)
and content of contract summaries)
for the neutral fact-finder)
process for 2000 under Section)
16-112(c) of the Public Utilities)
Act.)

Springfield, Illinois
February 18, 2000

Met, pursuant to notice, at 10:00 A.M.

BEFORE:

MR. JOHN ALBERS, Examiner

APPEARANCES:

MR. KARL B. ANDERSON
Jones, Day, Reavis & Pogue
77 West Wacker
Suite 3500
Chicago, Illinois 60601-1692

(Appearing on behalf of Central Illinois
Public Service Company and Union
Electric Company via teleconference)

SULLIVAN REPORTING COMPANY, by
Cheryl A. Davis, Reporter, #084-001662

APPEARANCES:

(Cont'd)

MR. DAVID I. FEIN
MR. CHRISTOPHER J. TOWNSEND
Piper, **Marbury**, Rudnick & Wolfe
203 North La Salle Street
Suite 1800
Chicago, Illinois 60601-1293

(Appearing on behalf of **Enron** Energy
Services, Inc. and **NewEnergy** Midwest,
L.L.C. via teleconference)

MR. JOSEPH L. LAKSHMANAN
500 South 27th Street
Decatur, Illinois 62521-2200

(Appearing on behalf of Illinois Power
Company)

MR. MICHAEL MUNSON
150 North Michigan Avenue
Suite 1405
Chicago, Illinois 60601

(Appearing on behalf of NICOR Energy via
teleconference)

MS. SARAH READ
MR. MITCHELL MICK
Sidley & Austin
Bank One Plaza
Suite 5400
Chicago, Illinois 60603

(Appearing on behalf of Commonwealth
Edison Company via teleconference)

1 APPEARANCES: (Cont'd)

2 MR. STEVEN G. REVETHIS
3 MR. JOHN C. FEELEY
4 160 North La Salle Street
Suite C-800
Chicago, Illinois 60601

5 (Appearing on behalf of the Staff of the
6 Illinois Commerce Commission via
teleconference)

7 MR. ERIC ROBERTSON
8 Lueders, Robertson & Konzen
1939 Delmar Avenue
9 P.O. Box 735
Granite City, Illinois 62040

10 (Appearing on behalf of the Illinois
11 Industrial Energy Consumers)

12 MR. W. MICHAEL SEIDEL
13 Defrees & Fiske
200 South Michigan Avenue
Suite 1100
14 Chicago, Illinois 60604

15 (Appearing on behalf of Central Illinois
Light Company via teleconference)

16 MR. TIMOTHY P. WALSH
17 130 East Randolph
23rd Floor
18 Chicago, Illinois 60601

19 (Appearing on behalf of Peoples Energy
Service Corporation via teleconference)

20

21

22

1

I N D E X

2

WITNESSESDIRECT CROSS REDIRECT RECROSS

3

(None)

4

5

6

7

8

9

10

11

12

EXHIBITSMARKEDADMITTED

13

(None)

14

15

16

17

18

19

20

21

22

PROCEEDINGS

EXAMINER ALBERS: By the authority vested in me by the Illinois Commerce Commission, I now call Docket Number 00-0007. The Commission initiated this docket on its own motion for the purpose of addressing the requirements governing the form and content of contract summaries for the neutral fact-finder process for 2000.

May I have the appearances for the record, please.

MR. REVETHIS: Steven G. Revethis and John C. Feeley, Staff counsel, appearing on behalf of the Illinois Commerce Commission Staff, Mr. Examiner.

MR. ANDERSON: Karl B. Anderson, Jones, Day, Reavis & Pogue, 77 West **Wacker**, Chicago, Illinois 60601, appearing on behalf of Central Illinois Public Service Company and Union Electric Company.

MR. READ: Sarah Read and Mitchell **Mick**, Sidley & Austin, Bank One Plaza, Suite 5400, Chicago, Illinois 60603, appearing on behalf of **ComEd**.

MR. FEIN: David I. Fein and Christopher J. Townsend by the law firm of Piper, **Marbury**, Rudnick &

1 Wolfe, 203 North La Salle Street, Suite 1800,
2 Chicago, Illinois 60601, appearing on behalf of **Enron**
3 Energy Services, Incorporated and **NewEnergy** Midwest
4 L.L.C.

5 MR. MUNSON: On behalf of NICOR Energy, Michael
6 Munson, 150 North Michigan Avenue, Suite 1405,
7 Chicago, Illinois 60601.

8 MR. WALSH: Timothy P. Walsh on behalf of
9 Peoples Energy Service Corporation, 130 East Randolph
10 Drive, 23rd Floor, Chicago, Illinois 60601, and I'd
11 like a copy of the transcript.

12 MR. SEIDEL: W. Michael Seidel for the law firm
13 of Defrees & Fiske, 200 South Michigan Avenue, Suite
14 1100, Chicago, Illinois 60604, appearing on behalf of
15 Central Illinois Light Company.

16 EXAMINER ALBERS: Are there any others in
17 Chicago?

18 MR. REVETHIS: No.

19 EXAMINER ALBERS: No? Okay.

20 MR. LAKSHMANAN: Joseph L. Lakshmanan,
21 L-A-K-S-H-M-A-N-A-N, 500 South 27th Street, Decatur,
22 Illinois 62521, appearing on behalf of Illinois Power

1 Company.

2 MR. ROBERTSON: Eric Robertson, Lueders,
3 Robertson & Konzen, 1939 Delmar, P.O. Box 735,
4 Granite City, Illinois 62040, on behalf of the
5 Illinois Industrial Energy Consumers.

6 EXAMINER ALBERS: Thank you.

7 Let the record reflect there are no others
8 wishing to enter an appearance.

9 As far as preliminary matters, since
10 January 27th I've received petitions to intervene
11 from several others, including the Illinois
12 Industrial Energy Consumers, Mt. Carmel Public
13 Utility Company, NICOR Energy L.L.C., Edgar Electric
14 Cooperative Association, doing business as InterStar
15 Power Corp., Interstate Power Company, South Beloit
16 Water, Gas and Electric Company, and Alliant Energy
17 Resources.

18 Is there any objection to granting those
19 petitions? Hearing none, then those petitions are
20 granted.

21 Are there any other preliminary matters?
22 It doesn't sound like it.

1 In accordance with the schedule we set at
2 our last hearing, I received a copy of the results of
3 the parties' efforts to come to -- to make a
4 stipulation concerning the contract summary form and
5 the instructions thereto, and it appears there are at
6 least a few remaining issues to decide.

7 Prior to going on the record the parties
8 indicated that Staff will be filing along with its
9 direct testimony a copy of the instructions and the
10 form and I believe probably the worksheets as well as
11 exhibits attached to its direct testimony, and all
12 parties have indicated they agree to work from that
13 as far as a reference point in their own testimony
14 and briefs and any other pleadings.

15 And it appears the parties have also agreed
16 that following direct testimony being due on February
17 **25th**, all rebuttal testimony should be due on March
18 **3rd**, and a hearing will be held on March 9th
19 beginning at **11:00 a.m.**

20 Does anybody have any comments on the
21 schedule? Any corrections? It doesn't sound like it
22 then, so that schedule is in effect.

1 Is there anything else to raise at this
2 point? I think I indicated earlier we would leave
3 dates for initial briefs and reply briefs until the
4 evidentiary hearing. I indicated that initial briefs
5 will most likely be due that week following the
6 hearing.

7 Mr. Robertson, do you have something you
8 wanted to say?

9 MR. ROBERTSON: Yes. I had a question. I'm
10 sorry I missed the off-the-record conversation.

11 I did note in the context of what we had
12 talked about among ourselves yesterday that item I
13 believe it 's (d) (3) , treatment of bundled service
14 contract prices, I had not marked as an issue on the
15 paper that I gave to Mr. Foster, but I noted that he
16 has marked it as an open issue, and that is an issue
17 that we were concerned about also.

18 That's all I have, Mr. Examiner.

19 EXAMINER ALBERS: Okay. So noted.

20 Are there any other comments that anyone
21 would like to make? All right. If there's nothing
22 else, then this matter is continued to March 9th at

1 11:00 a.m.

2 MR. REVETHIS: Thank you, Mr. Examiner.

3 (Whereupon the case was
4 continued to March 9, 2000,
5 at 11:00 a.m. in Springfield,
6 Illinois.)
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22

1 STATE OF ILLINOIS)
2) SS
COUNTY OF SANGAMON)
3 CASE NO.: 00-0007
4 TITLE: ILLINOIS COMMERCE COMMISSION
On Its Own Motion
5
6
7

8 CERTIFICATE OF REPORTER
9
10

11 I, Cheryl A. Davis, do hereby certify that I am
12 a court reporter contracted by Sullivan Reporting
13 Company of Chicago, Illinois; that I reported in
14 shorthand the evidence taken and proceedings had on
15 the hearing on the above-entitled case on the 18th
16 day of February, 2000; that the foregoing 10 pages
17 are a true and correct transcript of my shorthand
18 notes so taken as aforesaid and contain all of the
19 proceedings directed by the Commission or other
20 persons authorized by it to conduct the said hearing
21 to be so stenographically reported.
22

Dated at Springfield, Illinois, on this 21st day
of February, A.D., 2000.



Certified Shorthand Reporter
License No. 084-001662